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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

vs.

GABRIEL COWAN METCALF,

Defendant.

Case No. CR-23-103-BLG-SPW

**UNOPPOSED MOTION TO
CONTINUE TRIAL AND RESET
PRETRIAL DEADLINES**

COMES NOW the Defendant, Gabriel Metcalf, by and through his counsel of record, and moves the Court for an order continuing the trial currently scheduled for November 13, 2023, and extending the pretrial deadlines accordingly.

The grounds for this motion are as follows:

1. Additional time is needed to investigate the Government's claims, preform additional research, and prepare Mr. Metcalf's trial defense.

2. For this reason, the Defendant requests the Court continue the trial in this matter. Further, it will prejudice the Defendant if this continuance is not granted. Counsel for the Defendant asserts that the ends of justice served by granting this continuance outweigh the best interest of the public and the Defendant in a speedy trial analysis. The Defendant further asserts for purposes of the speedy trial act, the number of days for which this matter is continued are excludible under 18 U.S.C. § 3161(h)(8)(A)(B)(iv).

3. The Defendant is not currently in custody and has been released pursuant to conditions pending the outcome of this case.

4. Counsel has contacted the Assistant United States Attorney to whom this case has been assigned, and the United States does not oppose this continuance.

RESPECTFULLY SUBMITTED October 30, 2023.

/s/ Russell A. Hart
RUSSELL A. HART
Federal Defenders of Montana
Counsel for Defendant

CERTIFICATE OF SERVICE
L.R. 5.2(b)

I hereby certify that on October 30, 2023, the foregoing document was served on the following persons by the following means:

- 1, 2 CM-EDF
 - Hand Delivery
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- 1. CLERK, UNITED STATES DISTRICT COURT

 - 2. THOMAS GODFREY
Assistant United States Attorney
United States Attorney's Office
2601 2nd Avenue North, Suite 3200
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Counsel for the United States.

 - 3. GABRIEL COWAN METCALF
Defendant

/s/ Russell A. Hart
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Counsel for Defendant